

## REMARKS

Claims 1, 3-12 and 20-44 are pending in the instant application. Claim 2 was previously canceled, Claims 13-19 are cancelled herein. Claims 1, 20, 25, 36 and 42-44 are amended herein. No new matter has been added as a result of the amendments made herein.

### 103 Rejections

Claims 1 and 3-44 are rejected under 35 U.S.C. § 103(a) as being obvious over Tindal (U.S. Patent Publication No. 2002/0069275) in view of Nisbet et al. (US 6,834,304). The Applicants have reviewed the cited references and respectfully submit that embodiments of the present invention as are set forth in Claims 1, 3-12 and 20-44 are neither anticipated nor rendered obvious by Tindal (Claims 13-19 have been cancelled).

The Examiner is respectfully directed to independent Claim 1 which is drawn to a method for auditing an optical network. Claim 1 is reproduced below in its entirety for convenience of the Examiner, comprising:

1. A method for auditing an optical network, comprising the steps of:
  - transmitting a query to a hardware device in said optical network;
  - receiving a response to said query subsequent to said transmitting;
  - analyzing said response to said query;
  - producing an audit report of said response and said analysis subsequent to said analyzing wherein said audit report is based on network configuration information and wherein a placement of information in said audit report is based on information contained in said response; and
  - transmitting a second query to said hardware device, said second query based on said response to said first query, in order to gather status information of said hardware device.

Independent Claims 20, 25 and 36 recite limitations similar to those found in Claim 1. Claims 1 and 3-12 depend from Claim 1, Claims 21-24 depend from Claim 20, Claims 26-35 depend from Claim 25 and Claims 37-44 depend from Claim 36. These Claims recite further features of the Claimed invention.

Tindal in view of Nisbet et al. does not anticipate or render obvious the embodiment of the claimed invention as set forth in Claim 1. Tindal in view of Nisbet et al. is deficient as Tindal does not teach all of the limitations of Claim 1 and Nisbet et al. does not remedy the deficiencies of Tindal. In particular, Tindal does not teach or suggest a system for auditing an optical network that includes as a part of it's auditing operations "producing an audit report of said response and said analysis subsequent to said analyzing wherein said audit report is based on network configuration information and wherein a placement of information in said audit report is based on information contained in said response" as set forth in Claim 1. And, Nisbet et al. does not teach or suggest these limitations remedy the deficiencies of Tindal.

Tindal only shows a global GUI interface for network operating systems. Tindal is concerned with providing an end user with the capacity to communicate with a variety of network devices. In the Tindal system this is accomplished through the use of a variety of user interface templates that correspond to the variety of network devices.

Nowhere in the Tindal reference is a system for auditing an optical network that includes as a part of it's auditing operations "producing an audit report of said response and said analysis subsequent to said analyzing wherein said audit report is based on network configuration information and wherein a placement of information in said audit report is based on information contained in said response" as set forth in Claim 1 (Claims 13, 20, 25 and 36 contain similar limitations). Consequently, Tindal does not anticipate or render obvious the embodiment of the Applicant's invention as set forth in Claims 1, 13, 20, 25 and 36.

Nisbet et al. does not remedy the deficiencies of Tindal that are outlined above. In particular, Nisbet et al. does not teach or suggest a system for auditing an optical network that includes as a part of it's auditing operations "producing an audit report of said response and said analysis subsequent to said analyzing wherein said audit report is based on network configuration information and wherein a placement of information in said audit report is

based on information contained in said response” as set forth in Claim 1 (Claims 13, 20, 25 and 36 contain similar limitations). Nisbet et al. only shows a dissimilar method and apparatus for creating a network audit report.

However, Nisbet et al. is not concerned with the placement of information in the audit report. More importantly, Nisbet et al. does not teach the recited relationship between the placement of information in the audit report and the response. Applicant respectfully submits that nowhere in the Nisbet et al. reference is a system for auditing an optical network that includes as a part of it’s auditing operations “producing an audit report of said response and said analysis subsequent to said analyzing wherein said audit report is based on network configuration information and wherein a placement of information in said audit report is based on information contained in said response” as set forth in Claim 1 (Claims 13, 20, 25 and 36 contain similar limitations). Consequently, Nisbet et al. does not anticipate or render obvious the embodiment of the Applicant’s invention as set forth in Claims 1, 13, 20, 25 and 36.

Accordingly, the Applicant also respectfully submits that Nisbet et al. does not anticipate or render obvious the present claimed invention as is recited in Claims 14-18 and Claims 21-24 which depend from allowable base Claims 13 and 20 respectively.

#### Conclusion

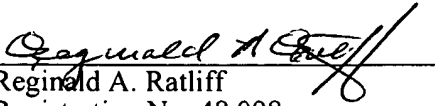
In light of the above-listed remarks, the Applicant respectfully requests allowance of the remaining Claims.

The Examiner is urged to contact the Applicant’s undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

WAGNER, MURABITO & HAO LLP

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Reginald A. Ratliff  
Registration No. 48,098  
Two North Market Street  
Third Floor  
San Jose, CA 95113  
(408) 938-9060